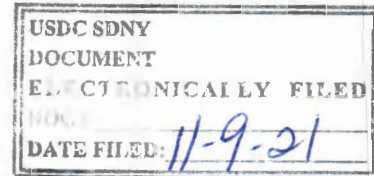


590 Madison Avenue, 20th Floor, New York, NY 10022 ■ p212.223.4000 ■ f212.223.4134



Glen G. McGorty
(212) 895-4246
GMcGorty@crowell.com



October 29, 2021

BY ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Ofer Abarbanel*, 21 Cr. 532 (LAK)

Dear Judge Kaplan:

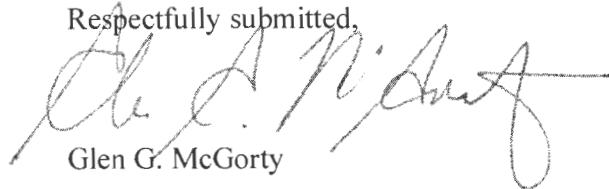
We write to respectfully request a modification of the conditions of release for Mr. Ofer Abarbanel, which were set on July 8, 2021, by Magistrate Judge James L. Cott. Among the conditions that Judge Cott set for Mr. Abarbanel's release is that Mr. Abarbanel is restricted to his residence at all times except for medical needs and treatment (including his wife's medical appointments), attorney visits, court appearances, and employment (and in particular his work as a driver for ride share services including Uber and Lyft).

We respectfully request that the exceptions to Mr. Abarbanel's home confinement be modified so that he is instead subject to a curfew determined by the U.S. Pretrial Services ("Pretrial" or "PTS") office. In addition to the responsibilities enumerated by Judge Cott, Mr. Abarbanel has childcare responsibilities, and his wife's need for medical services has also recently increased. Mr. Abarbanel's wife's medical appointments, his work, and his childcare responsibilities have no set schedule, and so a curfew would better allow him to balance these obligations while rigorously adhering to the conditions of his release. Moreover, Mr. Abarbanel is currently required to wear a GPS tracking device—a condition that would continue—which means that the changes we request will not detrimentally affect Pretrial's ability to monitor Mr. Abarbanel's whereabouts.

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Mr. Abarbanel's Pretrial Services Officer in California, Manuel Ibanez, does not object to this modification in light of Mr. Abarbanel's work and family obligations. We have also verified that Josh Rothman, the SDNY U.S. Pretrial Service Officer assigned to this matter, similarly has no objections. Finally, we have conferred with the Government, which indicated that it defers to Pretrial and takes no position on this request.

Respectfully submitted,

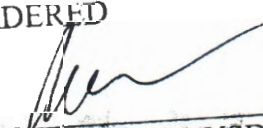


Glen G. McGorty

Cc: Allison Nichols, Esq.
Assistant United States Attorney
Southern District of New York

Manuel Ibanez
U.S. Pretrial Services Officer, CDCA

Josh Rothman
U.S. Pretrial Services Officers, SDNY

Granted
SO ORDERED

LEWIS A. KAPLAN, USDI
11/9/21